

REMARKS

Claims 26-56 are pending in this application, of which claims 55 and 56 are being added.

Added Claims 55 and 56

Claims 55 and 56 are being added to further define the invention. Claims 55 and 56 recite an "operation device" as, for example, was recited in claim 9 as originally filed.

102(b) Rejection of Claims 32-35, 43-46, and 50-54

The Examiner rejected claims 32-35, 43-46, and 50-54 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,768,164 to Hollon, Jr. ("*Hollon*"). This rejection is respectfully traversed.

Claims 32 and 43

Independent claims 32 and 43 are allowable over *Hollon* because *Hollon* fails to teach each and every element of claim 32 or claim 43. For example, *Hollon* does not teach a "main display," a "sub-display provided ... at a position where the sub-display is externally visible when the main display is in a closed position," and either

"a jog device which generates a plurality of types of events" and "display control means which displays a name of an application program to be started in response to the event generated by the jog device on the sub-display in one of a power-off state, a sleeping state, and a main display off state," as recited in claim 32; or

"detecting an event generated by the jog device" and "displaying a name of an application program to be started in response to the event generated

by the jog device on the sub-display in one of a power-off state, a sleeping state, and a main display off state,” as recited in claim 43.

Instead, *Hollon* teaches:

When a user of portable computer 10 desires to utilize a particular application program on spontaneous use display 39, the user locates the active window of the application program at section 21 of display 20 (shown in FIG. 1). The user then puts portable computer 10 into an inactive mode and closes the cover. (Col. 2, line 65 to col. 3, line 3; emphasis added)

The portable computer 10 of *Hollon* cannot be in “an inactive mode” nor can the cover be closed if the user “desires to utilize a particular application program on spontaneous use display 39” (Col. 2, line 65 to col. 3, line 3).

In contrast, claims 32 and 43 recite “displaying,” or “display control means which displays,” “a name of an application program to be started in response to the event generated by the jog device on the sub-display in one of a power-off state, a sleeping state, and a main display off state” (emphasis added).

Furthermore, *Hollon* does not teach “a jog device,” as recited in claim 32, or “displaying a name of an application program to be started in response to the event generated by the jog device,” as recited in claim 43.

Instead, Hollon teaches “[p]ressing any of spontaneous use function keys 31 through 38” (emphasis added) (Col. 3, lines 3-4). “Keys” are different from “a jog device.”

Thus, claims 32 and 43, and claims 33-35 and 44-46 dependent therefrom, should be allowed over *Hollon*.

Claim 50

Independent claim 50 is also allowable over *Hollon* because *Hollon* does not teach an information apparatus comprising, inter alia, “a body,” “a main display which can be opened and closed relative to the body,” and “a sub-display provided in the body,” as recited.

Instead, *Hollon* discloses a portable computer 10 with a cover that is open or closed. The cover includes a display 20, as shown in Figure 1 of *Hollon*. Additionally, “[o]n the cover of portable computer 10 is a spontaneous use display 39” (Col. 2, lines 52-53; emphasis added).

In contrast to the portable computer 10 of *Hollon*, the information apparatus recited in claim 50 comprises “a sub-display provided in the body.” The “main display ... can be opened and closed relative to the body,” as recited in claim 50. Thus, claim 50 and claims 51-54 that depend therefrom should be allowed over *Hollon*.

103(a) Rejections of Claims 26-31, 36-42, and 47-49

The Examiner rejected claims 26, 28-31, 36-39, 41-42, and 47 under 35 U.S.C. § 103(a) as being unpatentable over *Hollon* and U.S. Patent No. 6,385,466 to Hirai et al. ("*Hirai et al.*"). The Examiner also rejected claims 27 and 40 under 35 U.S.C. § 103(a) as being unpatentable over *Hollon*, *Hirai et al.*, and U.S. Patent No. 6,286,109 to Pirdy ("*Pirdy*"). In addition, the Examiner rejected claims 48 and 49 under 35 U.S.C. § 103(a) as being unpatentable over *Hollon* and U.S. Patent No. 5,710,576 to Nishiyama et al. ("*Nishiyama et al.*"). These rejections are respectfully traversed.

Claims 26, 39, 48, and 49

Independent claims 26, 39, 48, and 49 are allowable over *Hollon*, *Hirai et al.*, *Nishiyama et al.*, and *Pirdy* because none of these references teaches a "main display," a "sub-display provided ... at a position where the sub-display is externally visible when the main display is in a closed position," and either

"detection means which detects a system abnormality of the portable information apparatus" and "display control means which displays a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means," as recited in claim 26;

"detecting a system abnormality" and "displaying a message indicating the detected system abnormality on the sub-display," as recited in claim 39;

"detection means which detects a system abnormality of the portable information apparatus" and "display control means which displays a message indicating the detected system abnormality on the sub-display when the open/close state detection means detects that the main display is in a closed state ...," as recited in claim 48; or

“detecting a system abnormality of the portable information apparatus” and “displaying a message indicating the detected system abnormality on the sub-display when the open/close state detection means detects that the main display is in a closed state, and displaying a message indicating the detected system abnormality on the main display when the open/close state detection means detects that the main display is in an open state,” as recited in claim 49.

The Examiner correctly acknowledges that “Hollon does not teach detection means which detects a system abnormality of the potable [sic] information apparatus; displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means,” and relies on *Hirai et al.* to make up for these deficiencies.

However, *Hirai et al.* fails to teach “displaying a message” or “display control means which displays a message” indicating a “system abnormality.” Instead, *Hirai et al.* teaches changing a backlight color of a portable terminal device to transmit information (Col. 1, lines 61-65). For example, the changing backlight color can report to the user “whether or not the voltage level of the battery can still ensure normal operation” (Col. 4, lines 51-54). However, changing a backlight color is not a “message.” Instead, changing a backlight color is a “display mode.” “Display mode” refers to “backlight color, flickering, and the like” (Specification, page 14, lines 11-14). In contrast, “message” refers to text or graphics (Specification, page 14, lines 5-10; Figures 3, 17-20, 22, 23, 30-33).

Furthermore, there would not have been any motivation for one of ordinary skill to combine *Hollon* and *Hirai et al.* as the Examiner suggests because *Hirai et al.* actually teaches away from “displaying a message” or “display control means which displays a message” to indicate a system abnormality. A reference that teaches away cannot serve to create a prima facie case of obviousness. *In re Gurley*, 27 F.3d 551, 553, 31 USPQ2d 1130, 1131 (Fed. Cir. 1994). *Hirai et al.* emphasizes that it is undesirable to “indicat[e] characters and figures” because “it becomes necessary for the user to perform operations according to complicated procedures in order to obtain required information, or it becomes difficult for the user to see display characters or figures which are reduced in size” (Col. 1, lines 18-54; emphasis added). *Hirai et al.* repeatedly stresses “ascertain[ing] the operation status of the portable terminal device from only the color of backlight of the display means 40 without reading characters and figures indicated on the display means 40” (Col. 4, lines 43-47, emphasis added; See also col. 5, lines 41-45; col. 7, lines 10-15; col. 8, lines 44-55). Thus, there would not have been any motivation for one of ordinary skill to combine *Hollon* and *Hirai et al.*

Pirdy and *Nishiyama et al.* do not make up for the deficiencies of *Hollon* and *Hirai et al.* because neither of these references teaches, for example, “detecting,” or “a detection means which detects,” “a system abnormality” and “displaying,” or “display control means which displays,” a message indicating the detected system abnormality on the sub-display.

Thus, independent claims 26, 39, 48, and 49, and claims 27-31 and 40-42 dependent therefrom, should be allowed over *Hollon*, *Hirai et al.*, *Pirdy*, and *Nishiyama et al.*

Claims 36-38 and 47

Independent claims 32 and 43 are allowable over *Hollon* because *Hollon* does not teach each and every limitation recited in claims 32 and 43, as described above with respect to the Examiner's § 102(b) rejection. *Hirai et al.* fails to overcome these deficiencies of *Hollon*. Thus, independent claims 32 and 43, and claims 36-38 and 47 dependent therefrom, should be allowed over *Hollon* and *Hirai et al.*

CONCLUSION

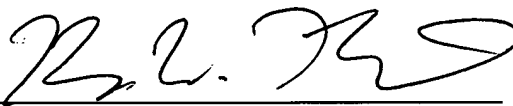
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 26, 2005

By: 
Reece Nienstadt
Reg. No. 52,072